

Application No. 10/651,448

**BEST AVAILABLE COPY****REMARKS**

This is in response to the Ex parte Quayle action dated January 10, 2006. In that action, claims 1-4 were indicated to be allowable by the Examiner. At the outset, the Applicant acknowledges with appreciation the Examiner's indication that claims 1-4 are allowable.

In the Action, the Examiner suggested amending claim 1 to change "waist" to "wrist." However, the Applicant believes that the term "waist" as used in claim 1 is correct and that recitation of this term in claim 1 is supported by the Specification. In particular, the Specification describes the existence of a separate belt and wristband and that "the belt or band [is secured] about a wearer's waist or wrist, respectively." Specification, page 5, lines 8-9. In other words, the belt is attached to the waist of the user as recited in claim 1.

To clarify that a separate belt member and magnetic accessory apparel item are recited, the Applicant suggests that the preamble of claim 1 be amended to recite "In combination, a belt member and a magnetic accessory apparel item." The Applicant also proposes that claims 2-4 be similarly amended..

The Examiner is encouraged to telephone the undersigned at the below-listed number with any questions concerning this response.

In view of the foregoing, it is submitted that the application is in condition for allowance which is respectfully requested. The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 50-1616. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1616.

Respectfully submitted,

Thomas F. Lebans

Reg. No. 38,221

By:

Date: March 9, 2006

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